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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,087	11/08/2000	Yuji Miyauchi	P 275329 OL9200N-US	9921

909 7590 11/05/2002

PILLSBURY WINTHROP, LLP
P.O. BOX 10500
MCLEAN, VA 22102

EXAMINER

SPECTOR, DAVID N

ART UNIT	PAPER NUMBER
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2873

DATE MAILED: 11/05/2002

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Allowability
(SUPPLEMENTAL)

Application No.

09/708,087

Examiner

David N. Spector

Applicant(s)

MIYAUCHI, YUJI

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Supplemental Amendment.
2. ☒ The allowed claim(s) is/are 34-74.
3. ☒ The drawings filed on November 8, 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. <u>14</u> | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

SUPPLEMENTAL EXAMINER'S AMENDMENT /C

1. This Office action enters a Supplemental Amendment and an Information Disclosure Statement (IDS) filed by applicant on August 19, 2002. Said amendment/IDS was received at the Office shortly after the mailing date of a Notice of Allowance for the instant application on August 13, 2002. Since it is unlikely that applicant actually received the Notice of Allowance prior to the aforesaid filing, however, both the supplemental amendment and IDS are treated herein as being timely filed. Formally, the supplemental amendment is being entered under the following supplemental examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. The application has been amended as follows:

In the Claims

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Replace existing Claim 34; with the amended Claim (amended) 34, as it appears in the Supplemental Amendment filed by applicant on August 19, 2002, which is attached (Attachment I) to this Office action.

SUPPLEMENTAL REASONS FOR ALLOWANCE

2. Claims 34-74 are allowable. The examiner's reasons for allowance follows.
3. The instant application is directed to an image pickup system including a novel zoom lens system disclosed previously by applicant in U.S. Patent No. 6,331,917 B1

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(hereinafter '917). Each of the independent claims 35-41, 51, 56, 58-64, and 66 of the instant application reads on an image pickup system that includes an objective optical system comprising a four-group (+ -+ +) inner-focusing zoom lens in accordance with the '917 patent; taken together with an electronic image pickup device located on an image side of the previously disclosed zoom lens system. Similarly, each instant independent claim is distinguished by a particular combination of the key features/limitations recited in the '917 claims. For example, independent claims 35-41, 51, 56, 58-62 are all distinguished over the prior art by the relationship $2.5 \text{ mm} < f_{B(\min)} < 4.8 \text{ mm}$, originally disclosed in '917; independent claims 63 and 64 are each distinguished over the prior art by, *inter alia*, the cemented lens in the third lens group, which was originally disclosed in '917. Each of claims 63 and 64 are further distinguished in that the cemented lenses in the second lens groups are convex on the image side, as further disclosed in '917. Independent claim 66 is distinguished by the particular arrangement of lenses in the third lens group. Independent claim (amended) 34 is directed to a particular embodiment of the aforesaid zoom lens wherein each of the four lens groups is completely specified as "consisting of" its constituent elements.

The invention(s) comensurate with U.S. Patent No. 6,331,917 B1 excepted, the prior art taken either singly or in combination fails to anticipate or fairly suggest the limitations of applicant's independent claims, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The claimed invention is therefore considered to be in condition for allowance as being novel and nonobvious over prior art.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

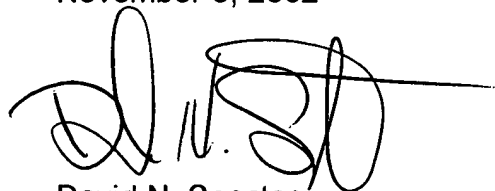
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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Other Remarks/Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David N. Spector whose telephone number is (703) 305-1521. The examiner can normally be reached at this number Monday through Friday between 6:00 AM and 2:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps, can be reached on (703) 308-4883. The fax number for the organization where this application is assigned is (703) 308-7722.

November 5, 2002

A handwritten signature in black ink, appearing to read 'D. N. Spector', with a long horizontal line extending to the right.

David N. Spector
Patent Examiner